IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

FRIDAY, THE 19TH OCTOBER 2007 / 27TH ASWINA 1929

WP(C).No. 31129 of 2007(E)

PETITIONER:

SRI.ANIL KUMAR, PROPRIETOR,
M/S.VIRGO AGENCIES, N.F.GATE,
THRIPUNITHURA.

BY ADV. SRI.E.P.GOVINDAN

RESPONDENTS:
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1. **THE COMMERCIAL TAX OFFICER,**
   FIRST CIRCLE, COMMERCIAL TAXES,
   THRIPUNITHURA P.O.

2. **DY.COMMISSIONER (APPEALS),**
   COMMERCIAL TAXES, ERNAKULAM-682035.

3. **INSPECTING ASST.COMMISSIONER,**
   COMMERCIAL TAXES, ERNAKULAM-682035.

4. **STATE OF KERALA, REPRESENTED BY**
   SECRETARY, TAXES DEPARTMENT,
   GOVERNMENT SECRETARIAT, TRIVANDRUM P.O.

BY GOVERNMENT PLEADER SRI.K.P.PRADEEP

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 19/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC, J.
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W.P.(C) NO. 31129 OF 2007 E
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Dated this the 19th day of October, 2007

J U D G M E N T

In relation to the assessment years 2003-04 and 2004-05, Exts. P2 and P3 are the assessment orders. Against these, petitioner filed Exts. P4 and P4(a) appeals and Exts.P5 and P5(a) stay petitions before the 2nd respondent. It is submitted that during its pendency, revenue recovery proceedings have been initiated in as per Exhibits P1 and P1(a).

2. In view of the pendency of appeals and stay petitions , it is necessary to direct that orders be passed on Ext.P5 and P5 (a) stay petitions before recovery is attempted.

3. Accordingly, I dispose of this writ petition directing the 2nd respondent to consider and pass orders on Ext.P5 and P5(a) stay petitions filed by the petitioner, as expeditiously as possible, at any rate within a period of three weeks from the date of receipt of a copy of this judgment.

4. In the meanwhile, further proceedings pursuant to Exts.P1 and P1(a) shall be kept in abeyance for one month.

Petitioner shall produce a copy of this judgment before the 2nd respondent for compliance.

ANTONY DOMINIC, JUDGE.

Rp